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January 4, 2006

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The Honorable Victor Marrero
United States District Judge
United States District Court
Southern District of New York
40 Centre Street, Suite 414
New York, New York 10007

USDC SDNY
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Re: *Klein v. Fidelity National Financial, Inc. et al.*
Docket No. 06-27

Your Honor:

We represent the Defendants Fidelity National Title Insurance Company, Fidelity National Financial, Inc., Jason Gordon, Mark Schiffman, Cheryl R. Saban, and William P. Foley, II in the above-referenced matter. We write to request an exception to the page limitation rule for memoranda of law, as outlined in your individual rules § II(B). We ask Your Honor to extend the page limit from twenty-five (25) to forty (40) pages for Defendants' Memorandum in Support of their Motion to Dismiss, to be filed on January 9th.

Plaintiff's complaint contains two hundred and thirty-six (236) paragraphs, thirteen (13) counts, and names nine (9) individual defendants. The claims are diverse, including but not limited to claims for defamation, employment discrimination, breach of contract, Section 349 of the New York State General Business Law, intentional infliction of emotional distress and a shareholder derivative action. Many of the counts in the complaint name multiple defendants and contain individual defendant-specific factual allegations. Therefore, Defendants' Motion to Dismiss will require a more extensive and complex level of briefing. We therefore request an exception to your rule to allow for Defendants to submit a Memorandum In Support of their Motion to Dismiss that will not exceed forty (40) pages.

We look forward to your response and thank you for your consideration.

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Respectfully submitted,




Cheryl R. Saban
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

CRS:jjl

cc: Saul J. Klein, via Facsimile (253) 660-5052

LEGAL_US_E # 70354108.1

<i>Request DENIED. A conference is scheduled for 1-13-06 at 1:00 p.m. to review whether such extensive motion practice at such an early stage of this litigation may be minimized or obviated.</i>	
SO ORDERED:	
<i>1-4-06</i>	
DATE	VICTOR MARRERO, U.S.D.J.